

PROB 12C  
(12/04)

## UNITED STATES DISTRICT COURT

JUN 20 2006

for

District of the Northern Mariana Islands

For The Northern Mariana Islands  
By \_\_\_\_\_  
(Deputy Clerk)

## Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Jason Ruluked Case Number: CR 03-00004-001Name of Sentencing Judicial Alex R. MunsonDate of Original Sentence: July 08, 2003Original Offense: Obstruction of Justice, 18 U.S.C. § 1503 and False Statements, 18 U.S.C. § 1001

Original Sentence: 33 months imprisonment followed by three years supervised release with conditions to include that the defendant shall not possess a firearm, destructive device, or any other dangerous weapons; not commit another federal, state, or local crime; not use or possess illegal controlled substances and submit to one urinalysis within 15 days of release from imprisonment and to two more thereafter; refrain from the use of any and all alcoholic beverages; participate in a substance abuse treatment program approved by the U.S. Probation for the treatment of narcotic addiction or drug or alcohol dependency which will include the testing for the detection of substance use or abuse; obtain or maintain gainful employment; perform 300 hours of community service; obtain a high school diploma or its equivalent; make arrangements to pay his creditors outlined in the presentence report. On **October 13, 2005**, supervised release conditions were modified to include a sanction of 200 additional hours of community service. On **December 21, 2005**, supervised release conditions were modified to include three months home detention with electronic monitoring. All other conditions were re-imposed at this time.

Type of Supervised Release Date Supervision Commenced: June 20, 2005Assistant U.S. Timothy E. Moran Defense Attorney: Loren Sutton

## PETITIONING THE COURT

- ☐ To issue a warrant  
☒ To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

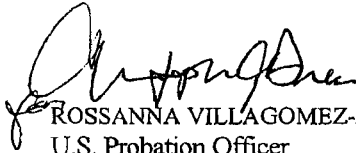
<u>Violation Number</u>	<u>Nature of Noncompliance</u>
1 Special Condition (5)	Failure to participate in a substance abuse treatment program approved by the U.S. Probation for the treatment of narcotic addiction or drug or alcohol dependency which will include testing for the detection of substance use or abuse;
2 Special Condition (6)	Failure to refrain from alcohol;
3 Special Condition (9)	Failure to obtain and maintain gainful employment;
4 Standard Condition (6)	Failure to inform the probation officer at least ten days prior to any change in residence or employment
5 Standard Condition (2)	Failure to report to the probation officer and submit a truthful and complete written report within the first five days of each month;
6 Special Condition	Failure to pay a special assessment fee of \$200;

## U.S. Probation Officer Recommendation:

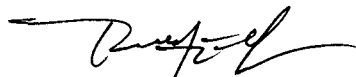
☒ The term of supervision should be☒ revoked.☐ \_\_\_\_\_ years, for a total term \_\_\_\_\_ years.☐ The conditions of supervision should be modified as follows:

*See attached Declaration in Support of Petition by  
USPO Margarita DLG. Wonenberg*

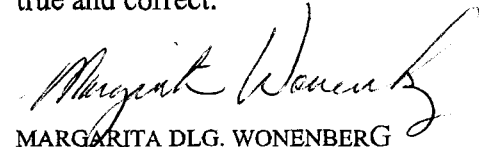
Reviewed by:

  
ROSSANNA VILLAGOMEZ-AGUON  
U.S. Probation Officer  
Supervision Unit Leader

Reviewed by:

  
TIMOTHY E. MORAN  
Assistant U.S. Attorney

I declare under penalty of  
perjury that the foregoing is  
true and correct.

  
MARGARITA DLG. WONENBERG  
U.S. Probation Officer

Date:

6/20/06

Date:

6/20/06


Executed on:

6/20/06

## THE COURT ORDERS:

☐ No action.☐ The issuance of a warrant.☒ The issuance of a summons.☐ Other

*for 6-21-06 at 10:00 a.m.*

  
Signature of Judicial Officer  
Date

COPY of  
Original Filed  
on this date

JUN 20 2006

Clerk  
District Court  
For The Northern Mariana Islands

UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN MARIANA ISLANDS

United States of America	)	USDC Cr. Cs. No. 03-00004-001
Plaintiff,	)	
	)	
	)	DECLARATION IN SUPPORT OF PETITION
vs.	)	
	)	
Jason Ruluked	)	
Defendant.	)	
	)	

I, U.S. Probation Officer Margarita DLG Wonenberg, am the U.S. Probation Officer assigned to supervise the Court-ordered conditions of supervised release for Jason Ruluked, and in that capacity declare as follows:

On July 8, 2003, Jason Ruluked was sentenced to 33 months imprisonment followed by three years supervised release for the offense of Obstruction of Justice, in violation of 18 U.S.C. § 1503, and False Statements, in violation of 18 U.S.C. § 1001. On October 13, 2005, supervised release conditions were modified to include a sanction of 200 additional hours of community service, and an order to pay \$50 monthly toward his special assessment fee. On December 21, 2006, supervised release conditions were modified, and a term of three months home detention with electronic monitoring was imposed. Mr. Ruluked's term of supervised release started on June 20, 2005. He is alleged to have violated the following conditions:

**Special Condition:** *That the defendant shall participate in a substance abuse treatment program approved by the U.S. Probation Office for the treatment of narcotic addiction or drug or alcohol dependency which will include testing for the detection of substance use or abuse. The defendant shall also make co-payment for treatment at a rate to be determined by the U.S. Probation Office.*

Mr. Ruluked failed to show for drug testing as scheduled by Marianas Psychiatric Services on May 24, 26, and 28, 2006; and June 7, 12, and 17, 2006. When queried about the reason for his failure to show for drug testing, he stated that he simply did not have transportation to get to the Marianas Psychiatric Services. In an interview with Immaculada Kapileo, Mr. Ruluked's step-mother, she stated that she encourages her step-son to comply with his substance abuse treatment and that there is a family vehicle that he can use anytime to comply with his drug testing condition.

## Declaration in Support of Petition

Re: RULUKED, Jason

USDC Cr. Cs. No. 03-00004-001

June 20, 2006

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**Special Condition:** *The defendant shall refrain from the use of alcohol.*

On April 21, 2006, at 2:11 p.m., Mr. Ruluked submitted to a breath test administered by this Officer and blew a blood alcohol content of 0.068. At 2:29 p.m., another breath test was administered and recorded at 0.063. He admitted to consuming six cans of Budweiser on April 20, 2006 when he decided to entertain his Japanese tourist customer. At the end of the meeting with this Officer, Mr. Ruluked walked to his employer's location of business at the beach side behind Hafa-Adai Hotel.

**Special Condition:** *The defendant shall obtain and maintain gainful employment.*

On May 30, 2006, this Officer discovered from Jason Ruluked's father that Mr. Ruluked was unemployed and had been unemployed since the last part of April 2006. Mr. Ruluked understands the importance of maintaining employment and earning a monthly income because the probation officer met with him on several occasions where he was reminded of this special condition. On subsequent contacts with Ray Alvarez, Mr. Ruluked's employer with Taotao Marine Sports, he informed this officer that Mr. Ruluked stopped coming to work sometime in May 2006. As of May 2006, Mr. Alvarez considers Mr. Ruluked terminated from his company.

**Standard Condition:** *The defendant shall inform the probation officer at least ten days prior to any change in residence or employment.*

Mr. Ruluked was contacted and he stated that he was afraid to inform this Officer about his employment status, and that he resigned from his job at the end of April 2006 when he felt that the daily presence of alcohol at his employment was a temptation that he could not resist.

**Standard Condition:** *The defendant shall report to the probation officer and submit a truthful and complete written report within the first five days of each month.*

Mr. Ruluked did not submit his monthly supervision report for the month of April, which was due May 1-5, 2006; and May, which was due on June 1-5, 2006. Mr. Ruluked was reminded on several occasions of the importance of submitting timely monthly reports. In a telephonic interview conducted on May 30, 2006, he stated that he had the report ready for submission, but had not submitted the report due to lack of transportation.

**Special Condition:** *That the defendant shall pay a special assessment fee of \$200.*

Records from the Clerk of Court, United States District Court, indicates that on November 1, 2005, Mr. Ruluked made a payment of \$50 and on January 3, 2006, he made another payment of \$100. As of June 8, 2006, Mr. Ruluked has a balance of \$50.

Declaration in Support of Petition  
Re: RULUKED, Jason  
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**Officer Intervention:** On April 21, 2006, Jason Ruluked was returned to Day One Phase I of the Substance Abuse Treatment Program. Also, on April 21, 2006, Mr. Ruluked met with this Officer, and he was reminded of his conditions to comply with his substance abuse treatment program, to report to this Officer on time, and to report status of his employment with Taotao Marine Sports and Information Saipan, another employer.

**Supervision Compliance:** Mr. Ruluked is in compliance with his community service which he completed on January 18, 2006. He completed his home detention on March 21, 2006 without incident.

**Officer Recommendation:** This Probation Officer respectfully requests that the Court issue a Summons for Jason Ruluked to appear at a hearing scheduled by the Court, and during that hearing, he be held to answer or show cause why supervise release in this case should not be revoked, or for any reason or cause which the Court may deem just and proper pursuant to 18 U.S.C. § 3583.


Executed this 20<sup>th</sup> day of June 2006, at Saipan, MP, in conformance with the provisions of 28 U.S.C. § 1746.

I declare, under penalty of perjury, that the foregoing is true and correct, except those matters stated upon information and belief, and as to those matters, I believe them to be true.

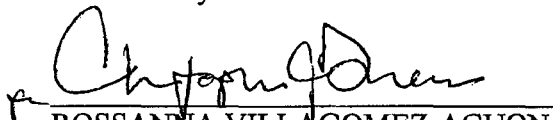
Respectfully submitted,

FRANK MICHAEL CRUZ  
Chief U.S. Probation Officer

By:

  
MARGARITA DLG WONENBERG  
U.S. Probation Officer

Reviewed by:

  
ROSSANNA VILLAGOMEZ-AGUON  
U.S. Probation Officer  
Supervision Unit Leader

cc: Timothy E. Moran, Assistant United States Attorney  
Loren Sutton, Defense Attorney  
File

## VIOLATION WORKSHEET

1. Defendant Jason Ruloked

2. Docket Number (Year-Sequence-Defendant No.) CR 03-00004-001

3. District/Office Northern Mariana Islands

4. Original Sentence Date 07 / 08 / 03  
month day year

(If different than above):

5. Original District/Office N/A

6. Original Docket Number (Year-Sequence-Defendant No.) N/A

7. List each violation and determine the applicable grade (see §7B1.1(b))

<u>Violation(s)</u>	<u>Grade</u>
● Failure to participate in a substance abuse treatment program approved by the U.S. Probation for the treatment of narcotic addiction or drug or alcohol dependency which will include testing for the detection of substance use or abuse.	C
● Failure to refrain from the use of alcohol	C
● Failure to obtain and maintain gainful employment	C
● Failure to inform the probation officer ten days prior to any change in residence or employment	C
● Failure to report to the probation officer and submit a truthful and complete written report within the first five days of each month.	C
● Failure to pay special assessment fee of \$200	C
8. Most Serious Grade of Violation ( <u>see</u> §7B1.1(b))	C
9. Criminal History Category ( <u>see</u> §7B1.4(a))	I
10. Range of Imprisonment ( <u>see</u> §7B1.4(a))	3 - 9 months
11. Sentencing Options for Grade B and C Violations Only (Check the appropriate box):	
<input checked="" type="checkbox"/> (a) If the minimum term of imprisonment determined under §7B1.4 (Term of Imprisonment) is at least one month but not more than six months, §7B1.3(c)(1) provides sentencing options to imprisonment.	
<input type="checkbox"/> (b) If the minimum term of imprisonment determined under §7B1.4 (Term of Imprisonment) is more than six months but not more than ten months, §7B1.3(c)(2) provides sentencing options to imprisonment.	



(c) If the minimum term of imprisonment determined under §7B1.4 (Term of Imprisonment) is more than ten months, no sentencing options to imprisonment are available.

Defendant: Jason Ruloked

**12. Unsatisfied Conditions of Original Sentence**

List any restitution, fine, community confinement, home detention, or intermittent confinement previously imposed in connection with the sentence for which revocation is ordered that remains unpaid or unserved at the time of revocation (see §7B1.3(d)):

Restitution (\$)	<u>NA</u>	Community Confinement	<u>NA</u>
Fine (\$)	<u>NA</u>	Home Detention	<u>NA</u>
CS	<u>satisfied 1/18/06</u>	Intermittent Confinement	<u>NA</u>

**13. Supervised Release**

If probation is to be revoked, determine the length, if any, of the term of supervised release according to the provisions of §§5D1.1-1.3 (see §§7B1.3(g)(1)).

Term: \_\_\_\_\_ to \_\_\_\_\_ years.

If supervised release is revoked and the term of imprisonment imposed is less than the maximum term of imprisonment imposable upon revocation, the defendant may, to the extent permitted by law, be ordered to recommence supervised release upon release from imprisonment (see 18 U.S.C. §3583(e) and §7B1.3(g)(2)).

Period of supervised release to be served following release from imprisonment: 27-33 months

**14. Departure**

List aggravating and mitigating factors that may warrant a sentence outside the applicable range of imprisonment:

None.

**15. Official Detention Adjustment** (see §7B1.3(e)): 0 months 0 days